REMARKS

The Examiner rejected claim 1 under 35 U.S.C. § 102(e) as being anticipated by Hashimoto. Applicant respectfully disagrees.

Applicant's invention relates to a mobile terminal that can function as both a cordless telephone and a cellular radiotelephone. In one embodiment, the mobile terminal comprises a transceiver for communicating with a base station in a wireless communications network, and a short-range radio interface (e.g., a Bluetooth interface) to communicate with a base unit of a cordless telephone system. The mobile terminal may also be equipped with a GPS receiver to determine the current position of the mobile terminal. The mobile terminal stores a geographical location associated with the cordless system's base unit in memory. Using mobile terminal's current location and the geographical location associated with the base unit, the mobile terminal computes the distance between the mobile terminal's current position and geographical location of the base unit, and controls the frequency with which it searches for the base unit based on the computed distance.

Applicant has amended claim 1 to recite, "storing a geographic location associated with said base unit in said mobile terminal." The "geographic location" identifies where the base unit is physically located, and is stored in the memory of the mobile terminal. Hashimoto discloses a dual function mobile terminal capable of communicating with both an independent cordless telephone system and a base station in a cellular network. Like most base units known in the art, the base unit of Hashimoto periodically broadcasts an identification number that identifies the base unit to the mobile terminal. However, the identification number says nothing whatsoever about where the base unit is physically located, and Hashimoto never suggests that it does.

The identification numbers of Hashimoto actually provide two main functions, both of which are well known in the art. First, identification numbers provide some form of security against unauthorized access. It ensures that the only handset that can get a dial tone from the

base unit is the handset that came with the base unit (i.e., the owner's handset). Second, identification numbers ensure that incoming calls meant for the owner (i.e., the owner's telephone number) are properly routed only to the owner's handset, and not someone else's. The identification numbers of Hashimoto say only who the base unit is. They explicitly reveal the identity of the transmitting base unit to the mobile terminal, not where it is located.

The Examiner asserts that the identification numbers are used to judge whether the mobile station is within the realm of one system or the other. However, this assertion does not remedy the fact that Hashimoto fails to disclose storing the geographic location associated with the base unit in memory at the mobile terminal. Whether the mobile terminal of Hashimoto may or may not be located within the coverage area of a particular base unit does not say *anything* about where the base unit is physically located. It simply says that the mobile terminal can receive a signal from a particular base unit *wherever that may be*. Hashimoto never states that the identification numbers are related in any way to the geographic location associated with the base unit, and certainly never discloses that the mobile terminal knows or stores a "geographic location" associated with the base unit.

This, by itself, is enough of a reason to have the § 102 rejection withdrawn. However, claim 1 has also been amended to explicitly recite, "computing a distance between said current location of said mobile terminal and said stored geographic location associated with said base unit ... [and] ... controlling searching for said base unit based on said computed distance between said current location of said mobile terminal and said stored geographic location associated with said base unit by varying a search behavior of said mobile terminal dependent upon said computed distance between said current location of said mobile terminal and said stored geographic location associated with said base unit." Thus, claim 1 now makes explicit that the computation of the distance between the base unit and the mobile terminal is based upon the stored geographic location associated with the base unit. As stated above, Hashimoto

fails to disclose storing the geographic location, and thus, cannot teach computing a distance based on this (non-existent) value.

However, even assuming *arguendo* that Hashimoto does disclose a geographical location associated with the base unit (which it does not), determining the distance between the mobile terminal and the independent base unit in Hashimoto is not based on the computed distance using this value. In stark contrast, it is based specifically on a received signal from an adjacent outdoor public base station.

> [C]hanging a period when a waiting operation to the independent system base station is performed, based on a distance between the mobile station and the independent base station ... includes detecting the distance based on a [received] signal received by the mobile station from the outdoor public station adjacent to the independent system base station.

Hashimoto, pg. 11, ln. 15 – pg. 12, ln. 6 (emphasis added). Hashimoto specifically employs a computation using a received signal transmitted by an *adjacent base station* to determine a distance between the base unit and the mobile terminal. Hashimoto never discloses that the mobile terminal computes the distance using a geographic location associated with the base unit, *or* a geographic location associated with the adjacent base station. In fact, Hashimoto never discloses that the mobile terminal is ever aware of the geographical location of the base unit. Indeed, if the mobile terminal in Hashimoto were aware of either of these physical locations (which it is not), there would be no need to compute a distance based on the received signal from an adjacent base station.

Therefore, Hashimoto fails to disclose one or more limitations of claim 1, and thus, fails to anticipate claim 1 under 35 U.S.C. § 102. Accordingly, Applicant respectfully requests the allowance of claim 1 and its dependent claims 2-24.

The Examiner also rejected claims 25 and 45 under 35 U.S.C. § 102(e) as being anticipated by Hashimoto. Claims 25 and 45 have both been amended to recite, "a processor to compute the distance between said current location of said mobile terminal and a stored geographic location for said private cordless base unit and to control a search behavior of said

short-range interface based on said computed distance." As stated above, Hashimoto fails to disclose that the mobile terminal stores any locations at all, let alone a geographic location associated with the base unit. Hashimoto stores the identification number of the base unit, and computes distance based on a signal received from an adjacent outdoor public base station. Therefore, for reasons similar to those stated above with respect to claim 1, Hashimoto fails to anticipate both amended claim 25 and amended claim 45 under § 102. Accordingly, Applicant respectfully requests the allowance of claim 25, its dependent claims 26-44, and claim 45.

Finally, Applicant notes that claims 2-19, 21-22, 27-36, 38-41, and 43-44 have been amended so that their language better comports with the amended language of their respective independent claims. No new matter has been added.

Respectfully submitted,

COATS & BENNETT, P.L.L.C.

Dated: August 5, 2004

Stephen A. Herrera
Registration No.: 47,642

P.O. Box 5
Raleigh, NC 27602
Telephone: (919) 854-1844